DECLARATION AND POWER OF ATTORNEY CONTINUATION-IN-PART

[X] Submitted with Initial Filing

[] Submitted after Initial Filing (Surcharge (37 CFR 1.16(e)) required)

Attorney Docket No.: 33583US2

First Named Inventor: Douglas S. Martin

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

LINERLESS DISPENSING CAP

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I hereby state that the present application is at least in part a continuation of a prior application filed by me in the United States Patent and Trademark Office on January 15, 2003, Serial No. 10/342,556; that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, in accordance with Title 37, Code of Federal Regulations, Section 1.56(a); and that, insofar as the subject matter of the present application is not disclosed in the prior application, I acknowledge my duty to disclose information fo which I am aware which is material to the examination of this subject matter, in accordance with Title 37, Code of Federal Regulations, Section 1.56(a), and which occurred between the filing dat of the prior application and the filing date of this application.

As a named inventor, I hereby appoint each of the following as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Charles B. Gordon, Reg. No. 16923 Thomas P. Schiller, Reg. No. 20677 David B. Deioma, Reg. No. 22841 Joseph J. Corso, Reg. No. 25845 Howard G. Shimola, Reg. No. 26232 Jeffrey J. Sopko, Reg. No. 27676 John P. Murtaugh, Reg. No. 34226 James M. Moore, Reg. No. 32923 Michael W. Garvey, Reg. No. 35878

Richard A. Sharpe, Reg. No. 34722 Ronald M. Kachmarik, Reg. No. 34512 Paul A. Serbinowski, Reg. No. 34429 Brian G. Bembenick, Reg. No. 41463 Aaron A. Fishman, Reg. No. 44682 Robert F. Bodi, Reg. No. 48540 Suzanne B. Gagnon, Reg. No 48924 Una L. Schumacher, Reg. No. 48998 Steven J. Solomon, Reg. No. 48719

Address all correspondence to Customer Number 000116:

Pearne & Gordon LLP 1801 East Ninth Street **Suite 1200** Cleveland, Ohio 44114-3108 (216) 579-1700

Please direct all correspondence and inquiries to Howard G. Shimola at (216) 579-1700.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor Name (sole): Douglas S Martin (1)

Signature:

Citizenship: United States of America

Residence (City, State, Country): New Castle, Pennsylvania USA

Post Office Address: 8 Coronado Drive, New Castle, Pennsylvania 16105